

PETITION FOR SPECIAL EXCEPTION 84-19-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a used car lot.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Robert L. Burton

(Type or Print Name)

Signature

2116 Turkey Point Rd.

Essex, MD 21221

City and State

Attorney for Petitioner:

Patricia Davis Garcia

(Type or Print Name)

Signature

22 W. Pennsylvania Ave. Suite 401

Towson, MD 21204

City and State

Attorney's Telephone No.: 321-6996

Legal Owner(s):

Robert L. Burton

(Type or Print Name)

Signature

2116 Turkey Point Rd.

Essex, MD 21221

City and State

Attorney for Petitioner:

Patricia Davis Garcia

(Type or Print Name)

Signature

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Towson, MD 21204

City and State

Attorney's Telephone No.: 321-6996

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

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RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER

NW/3 of Pulaski Hwy., 1,800' SW of : OF BALTIMORE COUNTY

Stevens Rd., 11th District

ROBERT L. BURTON, ET UX, : Case No. 84-19-X

Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify

me of any hearing date or dates which may be now or hereafter designated therefor,

and of the passage of any preliminary or final Order in connection therewith.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 1, 1983

COUNTY OFFICE BLDG.

111 W. Chesapeake Ave.

Towson, Maryland 21204

000

Nicholas B. Commodari

Chairman

MEMBERS:

Bureau of

Engineering

Department of

Traffic Engineering

State Roads Commission

Bureau of

Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial

Development

Patricia Davis Garcia, Esquire

22 W. Pennsylvania Avenue

Towson, Maryland 21204

RE: Item No. 227 - Case No. 84-19-X
Petitioner - Robert L. Burton, et ux
Special Exception Petition

Dear Ms. Garcia:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your clients' proposal to utilize the subject property for a used car lot, this hearing is required.

If the petition is granted and at the time of application for the necessary building permits, the site plan must be revised to reflect the comments from the State Highway Administration. For further information on the comments from the Department of Permits and Licenses, you may contact Mr. Ted Burnham at 494-3987.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Frank S. Lee 1277 Neighbors Ave 21237

Patricia Davis Garcia, Esq.
22 W. Pennsylvania Ave
Towson, Md. 21204

Frank S. Lee
1277 Neighbors Ave
Baltimore, Md. 21237

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 10th day of May, 1983

WILLIAM E. HAMMOND

Zoning Commissioner

Petitioner Robert L. Burton, et ux

Petitioner's Attorney P. D. Garcia, Esq.

Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

June 2, 1983

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #227 (1982-1983)
Property Owner: Robert L. & Frances A. Burton
11/MS Pulaski Hwy. 1800' S/W Stevens Rd.
Acres: 23,033 sq. ft. District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Pulaski Highway (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Red Lion Road, an existing public road, is proposed to be further improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way.

This office has no further comments in regard to the plat submitted for Zoning Advisory Committee review in connection with this Item 227 (1982-1983).

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

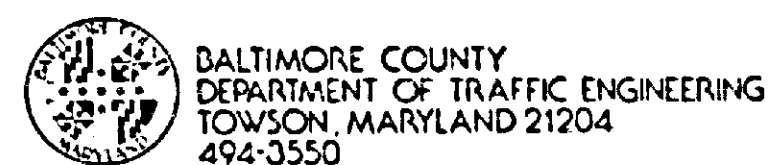
RAM:EMM:PMR:ss

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of July, 1983, that the Petition for Special Exception for a used car lot, in accordance with the site plan prepared by Frank S. Lee, revised July 6, 1983, and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the requirements of the Department of Health.
2. A Change of Occupancy Permit shall be obtained.
3. The subject property shall be limited to the sale of used cars.
4. Signs shall be limited to existing signs or replaced by one sign not to exceed 60 square feet, and the base shall be landscaped.
5. Approval of the aforementioned site plan by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.

John M. H. Jones
Deputy Zoning Commissioner of
Baltimore County



STEPHEN E. COLLINS
DIRECTOR

June 22, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 227 -ZAC- Meeting of May 10, 1983
Property Owner: Robert L. & Frances A. Burton
Location: NW/4 Pulaski Highway 1800' S/W Stevens Road
Existing Zoning: B.R.-CS-1
Proposed Zoning: Special Exception for a used car lot

Acres: 23,033 sq. ft.
District: 11th

Dear Mr. Hammond:

The requested special exception for a used car lot is not expected to be a major traffic generator. The entrances to the site will be subject to the State Highway Administration's approval.

Michael S. Flanagan
Traffic Engineer Assoc. II

MSP/ccm

Zoning Item # 227
Page 2

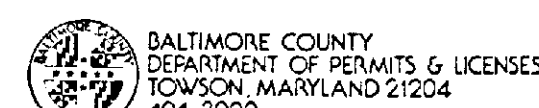
- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
{ } The results are valid until _____
Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.

- () All roads and parking areas should be surfaced with a dustless, bonding material.
- () No health hazards are anticipated.

- () Others: Existing sewage disposal system is failing; owner has been notified to correct failure. Complaint has been filed with the Eastern Regional Health Center.

Jan J. Forrester
Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)



TED ZANESKIR
DIRECTOR

May 17, 1983

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 227 Zoning Advisory Committee Meeting May 10, 1983 are as follows:

Property Owner: Robert L. & Frances A. Burton
Location: NW/4 Pulaski Hwy. 1800' S/W Stevens Road
Existing Zoning: B.R.-CS-1
Proposed Zoning: Special Exception for a used car lot.

Acres: 23,033 sq. ft.
District: 11th

The items checked below are applicable:

- ☒ All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- ☒ A building and other miscellaneous permits shall be required before beginning any required construction.

- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

- E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'4" of lot lines. A fire wall is required if construction is on the lot line, see Table 401, line 2, Section 407 and Table 2402.
- F. Requested variance conflicts with the Baltimore County Building Code, Section 4.

- ☒ A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

- ☒ Comments: The change of use from roadside stand (mercantile use) to used car sales (business use) is required. Structure is not to be used for vehicle repair under either of the above uses. Show compliance to the Handicapped Code, parking, signs, building access, etc.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Charles E. Burman
Chief
Plans Review

CSB:rrj
PMB 01-82

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commission
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 227, Zoning Advisory Committee Meeting of 10 May 83

Property Owner: Robert L. & Frances A. Burton

Location: NW/4 Pulaski Highway District 11th

Water Supply public Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation before work begins.
- (☒) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- (☒) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: May 9, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: May 10, 1983

RE: Item No. (227) 228, 229, 230, 231, 232, 233
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

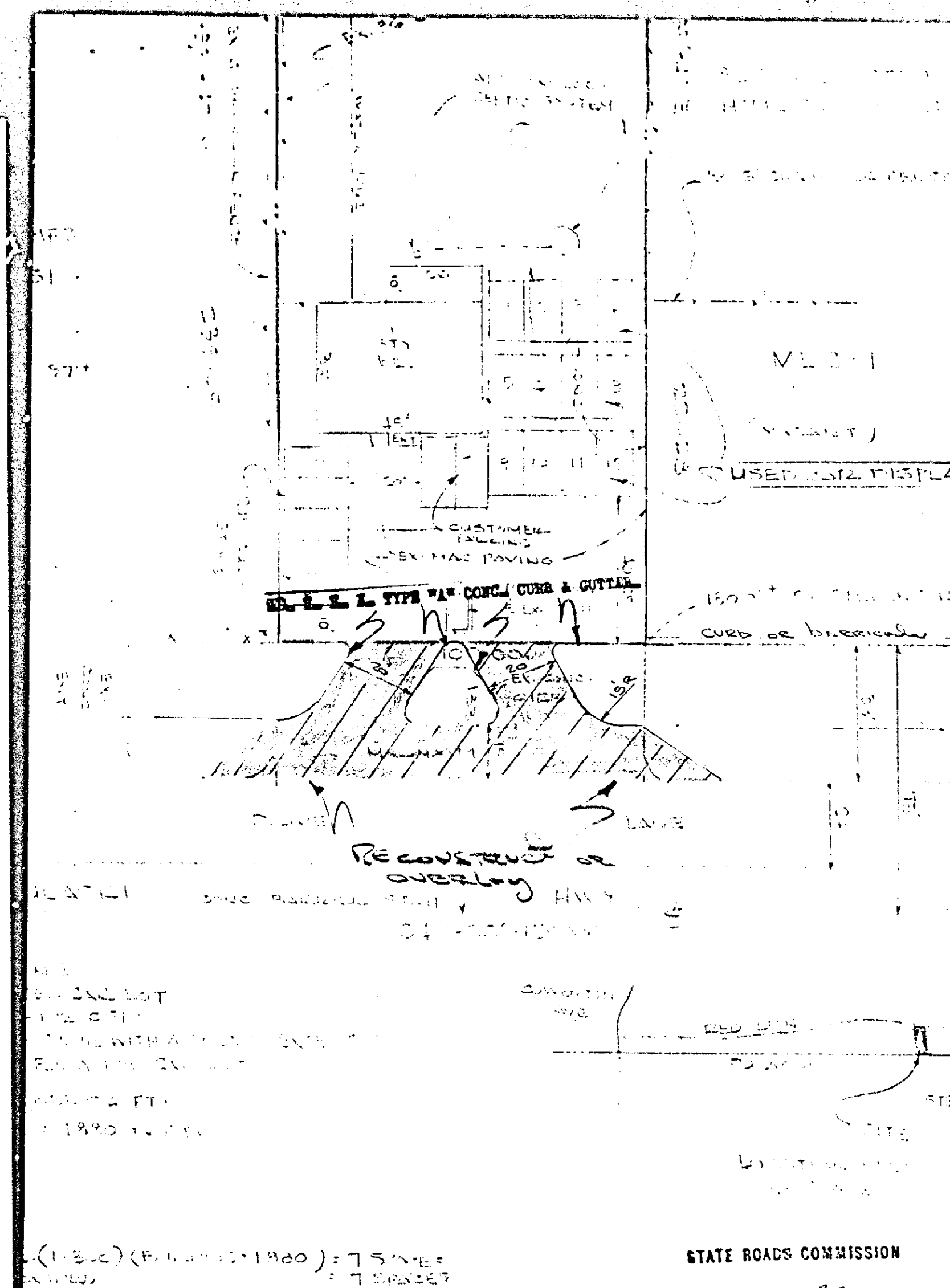
District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



ANY PARTIAL EVIDENCE OF
A LICENSED Hauler
1100 PULASKI HIGHWAY
IN THE BALTIMORE COUNTY, MARYLAND
DATE 2-24-83

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
Zoning Petition No. 84-19 X
SUBJECT: Robert L. Burton, et ux

Date: July 1, 1983

This office is not opposed to the proposed use here.

NEG:JGH:lc

cc: Arlene January
Shirley Hess

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

11TH ELECTION DISTRICT
ZONING: Petition for Special Exception for a 1.5-acre lot on the northeast side of Pulaski Highway, 1,800 ft. Southwest of Stevens Road.
DATE & TIME: Tuesday, July 12, 1983 at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations, will hold a public hearing. Petition for Special Exception for a used car lot. All that parcel of land in the Eleventh District of Baltimore County.

Middle River, Md., June 23 1953

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each

of one successive

weeks before the 23rd day of May, 19 81.

 Publisher.

District 11 Date of Posting 6/27/93
 Posted for: Letter for Special Agent
 Petitioner: Robert Z. Buxton, et al
 Location of property: NW 1/4, Calabash, Hwy., 1300'
Sec 6, Blount Co. Rd.
 Location of Signs: Front of property (NW 1/4, Calabash Hwy.)
near of property (along Rd. Sec. 6)
 Remarks: _____
 Posted by: Barry Z. Korman Date of return: 2/30/93
 Number of Signs: 2 Signature

